

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LAMAR JOHN TYRRELL,

Plaintiff,

v.

Case No. 07-C-804

GE OIL & GAS OPERATIONS, INC.,

Defendant.

ORDER

Defendant GE Oil & Gas Operations, Inc. (“GE”) has moved to compel Plaintiff Lamar John Tyrrell to respond to its outstanding discovery requests and submit to a deposition. GE also requests that, in light of Tyrrell’s delay in providing such discovery, the court award its fees and costs in preparing the instant motion, and modify the scheduling order to permit GE additional time to complete discovery and postpone the deadline for dispositive motions in this case. According to GE, Tyrrell has repeatedly refused or provided incomplete responses to GE’s requests for discovery, in spite of the fact that GE has permitted him multiple extensions of the deadline by which he was to respond. Now, despite the impending discovery deadline, GE claims that Tyrrell has been uncommunicative in response to GE’s requests for a definite date by which it can expect his responses and take his deposition. Tyrrell has filed no response to GE’s motion. Accordingly, the court accepts the factual findings as set forth by GE, and concludes that the requested relief is warranted.

THEREFORE IT IS ORDERED that GE's motion to compel discovery and award fees and costs is hereby **GRANTED**. Tyrrell must respond to all outstanding discovery requests and notify GE of dates he will be available for deposition within 14 (fourteen) days of the date of this order. He must submit to deposition by July 15, 2008. Failure to provide such discovery may result in the dismissal of this case. GE is directed to file a fee request within 10 (ten) days of the date of this order. Tyrrell may file a response within 7 (seven) days of the service of the fee request.

IT IS FURTHER ORDERED that the scheduling order in this case is modified in that the deadline for GE's completion of discovery is extended to July 31, 2008, and the deadline for the filing of dispositive motions by either party is extended to September 15, 2008. The July 1, 2008 deadline remains in effect as to Tyrrell's completion of discovery in this action.

Dated this 12th day of June, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge